Indian Affairs - Office of Public Affairs

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Public comment is sought on a proposal by the Secretary of the Interior to allow the statutory approval of Alaska Native allotment applications in cases where protests against such actions have been withdrawn. A notice requesting comment is published in today's Federal Register (62 Fed Reg 7033).

The proposed action by the Secretary would overrule an Interior Board of Land Appeals (IBLA) interpretation of Section 905 of the Alaska National Interest Lands Conservation Act (ANILCA). In Section 905 of ANILCA, Congress provided for the approval of pending allotment applications as long as certain conditions are met and unless a timely and sufficient protest is filed. The 1906 Alaska Native Allotment Act was intended to give individuals the opportunity to obtain legal title to lands they used and occupied. Section 905 of ANILCA was enacted to expedite the approval of allotment applications and to fulfill the commitments of the 1971 Alaska Native Claims Settlement Act (ANCSA), which repealed the 1906 Alaska Native Allotment Act. Section 905 was enacted in 1980 to facilitate the approval of allotment applications that were pending on or before ANCSA was passed. The IBLA has ruled that allotment applications must be adjudicated even when the protesting party has dismissed its protest. Approximately 1,800 allotment applications could be approved as a result of the Secretary's proposal.

Interested persons and organizations may submit comments respecting the Secretary's proposal to lift this bar to statutory approval of uncontested allotment applications. The Secretary has requested a legal opinion from the Interior Department Solicitor on this matter. Written comments must be received by April 11. Comments should be mailed to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street N.W., Washington, D.C. 20240. Comments may also be hand-delivered to the Bureau of Land Management, Administrative Record, Room 401, 1620 L Street, Washington, D.C. Comments may also be transmitted electronically, via the Internet to WOComments@wo.blm.gov. Please include "Attn: Secretarial Decision," and your name and address in the message. If you do not receive a confirmation that your Internet message has been received, contact that office directly at (202) 452-5030.